

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

In re AERY UPTON

Case No. 07-20072

Debtor(s).

AMENDMENT COVER SHEET

Amendment(s) to the following petition, list(s), schedule(s), or statement(s) are attached hereto:

- ☐ Petition ☐ Statement of Financial Affairs
☐ Creditor Matrix ☐ Statement of Intention
☐ List of 20 Largest Unsecured Creditors ☐ List of Equity Security Holders
☒ Schedules (check appropriate boxes). See Instruction #4 below.
☐ A ☐ B ☐ C ☐ D ☐ E ☐ F ☐ G ☐ H ☒ I ☒ J
☒ Summary of Schedules (includes Statistical Summary of Certain Liabilities and Related Data)
REQUIRED IF AMENDING SCHEDULE(S) A, B, D, E, F, I, OR J.

Purpose of amendment (check one):

- ☐ To add pre-petition creditors, delete creditors, change amounts owed or classification of debt (\$26.00 fee required, provided the judge may, for good cause, waive the charge in any case.) NOTE: Lists, schedules and statements that add or change creditors must be accompanied by an amended matrix listing only the creditors added or changed.
☐ No pre-petition creditors were added, creditors deleted, or amounts owed or classifications of debt changed.

NOTICE OF AMENDMENT TO AFFECTED PARTIES

Pursuant to Federal Rule of Bankruptcy Procedure 1009(a), I certify that notice of the filing of the amendment(s) checked above has been given this date to the Trustee in this case, and to any and all entities affected by the amendment, together with a copy of the notice of meeting of creditors, the discharge (if one has been entered), a subsequent notice to file claims (if one has been issued), and any other document affecting the rights of the added creditors. (NOTE: Proof of service, indicating that service has been made, must be filed with the Court.)

Dated: 8/2/09

Attorney's [or Pro Se Debtor's] Signature:

Printed Name:

Mailing Address:

W. Scott de Ble
1107 Second Street, Suite 220
Sacramento, CA 95814

DECLARATION BY DEBTOR

I(We), the undersigned debtor(s), hereby declare under penalty of perjury that the information set forth in the amendment(s) attached hereto, consisting of ___ pages, is true and correct to the best of my(our) information and belief.

Dated:

Debtor's Signature

Dated:

Joint Debtor's Signature

INSTRUCTIONS

1. Use this cover sheet ONLY when filing amended petitions, lists, schedules and statements. **Do not use an amendment cover sheet when submitting amended plans or amendments to plans.**
2. Include the word "Amended" in the title of each amended document.
3. Amendments to property schedules (A and B), creditor schedules (D, E, and F), or income/expenses schedules (I and J) must be accompanied by an amended Summary of Schedules. Updates to the schedule totals will not be made unless the summary is filed.
4. Amendments to add creditors or change their names/addresses must consist of the amended schedule(s) with a notation to the right of the creditor entry of "A" if the creditor is being added or "C" if it is being changed. **Failure to include "A" and "C" notations on amended schedules may result in duplicate or multiple listings on master mailing lists.**
5. Amendments which add or change creditors must be accompanied by a separately filed amended matrix containing ONLY the additions/changes so that the creditors may be downloaded into the case. The matrix must not contain the "A" or "C" notations.
6. When e-Filing an amended matrix, you must submit two separate files: a PDF file containing the amendment cover sheet for the matrix, and a text file containing the creditors in the standard master address list format. These two files must be uploaded together.
7. Federal Rule of Bankruptcy Procedure 1009 requires the debtor to give notice of an amendment to the trustee and to any entity affected thereby. **Notice of the amendment WILL NOT be given by the Clerk's Office.** To comply with this requirement, the debtor's attorney or Pro Se debtor must give notice to the trustee and any entity affected by the amendment by serving all previous court notices including, but not limited to, the notice of meeting of creditors, discharge of debtor, etc. A proof of service, indicating that service has been made, must be filed with the court.
8. Checks and money orders should be payable to "Clerk, U.S. Bankruptcy Court." (NOTE: No personal checks will be accepted.)

In re Aery J. Upton

Debtor(s)

Case No. 07-20072**SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)**

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child.

Debtor's Marital Status:	DEPENDENTS OF DEBTOR AND SPOUSE	
Single	RELATIONSHIP(S): None.	AGE(S):
Employment:	DEBTOR	SPOUSE
Occupation	Substance abuse counselor	
Name of Employer	Contra Costa County	
How long employed	10 years	
Address of Employer	2537 Applan Way Pinole, CA 94564	

INCOME: (Estimate of average or projected monthly income at time case filed)

1. Monthly gross wages, salary, and commissions (Prorate if not paid monthly)
2. Estimate monthly overtime

DEBTOR	SPOUSE
\$ <u>6,898.49</u>	\$ <u>N/A</u>
\$ <u>666.35</u>	\$ <u>N/A</u>
\$ <u>7,564.84</u>	\$ <u>N/A</u>

3. SUBTOTAL

4. LESS PAYROLL DEDUCTIONS

- a. Payroll taxes and social security
b. Insurance
c. Union dues
d. Other (Specify): Retirement

\$ <u>1,661.75</u>	\$ <u>N/A</u>
\$ <u>104.20</u>	\$ <u>N/A</u>
\$ <u>57.91</u>	\$ <u>N/A</u>
\$ <u>419.73</u>	\$ <u>N/A</u>
\$ <u>0.00</u>	\$ <u>N/A</u>

5. SUBTOTAL OF PAYROLL DEDUCTIONS

\$ <u>2,243.59</u>	\$ <u>N/A</u>
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6. TOTAL NET MONTHLY TAKE HOME PAY

\$ <u>5,321.25</u>	\$ <u>N/A</u>
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7. Regular income from operation of business or profession or farm (Attach detailed statement)
8. Income from real property
9. Interest and dividends
10. Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above
11. Social security or government assistance
(Specify):

\$ <u>0.00</u>	\$ <u>N/A</u>
\$ <u>2,500.00</u>	\$ <u>N/A</u>
\$ <u>0.00</u>	\$ <u>N/A</u>
\$ <u>0.00</u>	\$ <u>N/A</u>
\$ <u>0.00</u>	\$ <u>N/A</u>
\$ <u>0.00</u>	\$ <u>N/A</u>
\$ <u>0.00</u>	\$ <u>N/A</u>

12. Pension or retirement income

\$ <u>0.00</u>	\$ <u>N/A</u>
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13. Other monthly income

(Specify):

\$ <u>0.00</u>	\$ <u>N/A</u>
\$ <u>0.00</u>	\$ <u>N/A</u>

14. SUBTOTAL OF LINES 7 THROUGH 13

\$ <u>2,500.00</u>	\$ <u>N/A</u>
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15. AVERAGE MONTHLY INCOME (Add amounts shown on lines 6 and 14)

\$ <u>7,821.25</u>	\$ <u>N/A</u>
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16. COMBINED AVERAGE MONTHLY INCOME: (Combine column totals from line 15; if there is only one debtor repeat total reported on line 15)

\$ <u>7,821.25</u>	
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(Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data)

17. Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document:

In re Aery J. Upton

Debtor(s)

Case No. 07-20072

SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

Complete this schedule by estimating the average or projected monthly expenses of the debtor and the debtor's family at time case filed. Prorate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate.

☐ Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse."

1. Rent or home mortgage payment (include lot rented for mobile home)	\$	<u>2,418.00</u>
a. Are real estate taxes included? Yes <u> </u> No <u>X</u>		
b. Is property insurance included? Yes <u> </u> No <u>X</u>		
2. Utilities: a. Electricity and heating fuel	\$	<u>260.00</u>
b. Water and sewer	\$	<u>89.00</u>
c. Telephone	\$	<u>125.00</u>
d. Other <u>Cable tv</u>	\$	<u>100.00</u>
3. Home maintenance (repairs and upkeep)	\$	<u>65.00</u>
4. Food	\$	<u>400.00</u>
5. Clothing	\$	<u>100.00</u>
6. Laundry and dry cleaning	\$	<u>25.00</u>
7. Medical and dental expenses	\$	<u>40.00</u>
8. Transportation (not including car payments)	\$	<u>365.00</u>
9. Recreation, clubs and entertainment, newspapers, magazines, etc.	\$	<u>200.00</u>
10. Charitable contributions	\$	<u>15.00</u>
11. Insurance (not deducted from wages or included in home mortgage payments)		
a. Homeowner's or renter's	\$	<u>70.00</u>
b. Life	\$	<u>0.00</u>
c. Health	\$	<u>0.00</u>
d. Auto	\$	<u>72.00</u>
e. Other	\$	<u>0.00</u>
12. Taxes (not deducted from wages or included in home mortgage payments)		
(Specify) <u>See Detailed Expense Attachment</u>	\$	<u>508.81</u>
13. Installment payments: (In chapter 11, 12, and 13 cases, do not list payments to be included in the plan)		
a. Auto	\$	<u>0.00</u>
b. Other <u>Second deed of trust on residence</u>	\$	<u>234.00</u>
c. Other <u>First deed of trust on rental</u>	\$	<u>2,048.00</u>
d. Other <u>Second deed of trust on rental</u>	\$	<u>186.44</u>
14. Alimony, maintenance, and support paid to others	\$	<u>0.00</u>
15. Payments for support of additional dependents not living at your home	\$	<u>0.00</u>
16. Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$	<u>0.00</u>
17. Other	\$	<u>0.00</u>
Other	\$	<u>0.00</u>

18. AVERAGE MONTHLY EXPENSES (Total lines 1-17. Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)

\$ 7,321.25

19. Describe any increase or decrease in expenditures reasonably anticipated to occur within the year following the filing of this document:

20. STATEMENT OF MONTHLY NET INCOME

a. Average monthly income from Line 15 of Schedule I	\$	<u>7,821.25</u>
b. Average monthly expenses from Line 18 above	\$	<u>7,321.25</u>
c. Monthly net income (a. minus b.)	\$	<u>500.00</u>

In re Aery J. Upton

Debtor(s)

Case No. 07-20072

SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)
Detailed Expense Attachment

Specific Tax Expenditures:

<u>Property taxes</u>	\$	<u>480.00</u>
<u>Auto registration</u>	\$	<u>28.81</u>
<u>Total Tax Expenditures</u>	\$	<u>508.81</u>

United States Bankruptcy Court
Eastern District of California

In re **Aery J. Upton**DebtorCase No. **07-20072**Chapter **13**

SUMMARY OF SCHEDULES

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors must also complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	Yes	1	894,164.00		
B - Personal Property	Yes	3	24,872.62		
C - Property Claimed as Exempt	Yes	1			
D - Creditors Holding Secured Claims	Yes	2		844,979.30	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	Yes	1		0.00	
F - Creditors Holding Unsecured Nonpriority Claims	Yes	2		14,914.32	
G - Executory Contracts and Unexpired Leases	Yes	1			
H - Codebtors	Yes	1			
I - Current Income of Individual Debtor(s)	Yes	1			7,821.25
J - Current Expenditures of Individual Debtor(s)	Yes	2			7,321.25
Total Number of Sheets of ALL Schedules		15			
Total Assets			919,036.62		
Total Liabilities				859,893.62	

United States Bankruptcy Court
Eastern District of California

In re Aery J. Upton

Debtor

Case No. 07-20072Chapter 13

STATISTICAL SUMMARY OF CERTAIN LIABILITIES AND RELATED DATA (28 U.S.C. § 159)

If you are an individual debtor whose debts are primarily consumer debts, as defined in § 101(8) of the Bankruptcy Code (11 U.S.C. § 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below.

- ☐ Check this box if you are an individual debtor whose debts are NOT primarily consumer debts. You are not required to report any information here.

This information is for statistical purposes only under 28 U.S.C. § 159.

Summarize the following types of liabilities, as reported in the Schedules, and total them.

Type of Liability	Amount
Domestic Support Obligations (from Schedule E)	0.00
Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E) (whether disputed or undisputed)	0.00
Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E)	0.00
Student Loan Obligations (from Schedule F)	0.00
Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E	0.00
Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)	0.00
TOTAL	0.00

State the following:

Average Income (from Schedule I, Line 16)	7,821.25
Average Expenses (from Schedule J, Line 18)	7,321.25
Current Monthly Income (from Form 22A Line 12; OR, Form 22B Line 11; OR, Form 22C Line 20)	10,064.84

State the following:

1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column		0.00
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column	0.00	
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column		0.00
4. Total from Schedule F		14,914.32
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)		14,914.32